

35 USC §112 Rejections

The Examiner has rejected claim 22 under 35 USC §112 first paragraph. Applicants respectfully traverse this rejection and submit that Applicants disclosure on page 5, lines 12-15 clearly state that an external parameter may be any measurable variable outside the communications system. The disclosure states “external parameters which may be sensed include, but are not limited to environmental parameters such as date, time or MS location.” Applicants submit that use of an external parameter consisting of an environmental parameter is clearly supported in Applicants’ specification and respectfully request that this rejection be withdrawn.

35 USC §102 Rejections

Claims 1, 2, 3, 6, 9, 10, 12, 13, 14, 18, 20 and 21 have been rejected under 35 USC §102(e) as being anticipated by Sonti et al. Applicants respectfully traverse these rejections.

Sonti et al. discloses a method for allowing subscribers of a telecommunications network to change easily between sets of desired features. A home location register stores multiple profiles of all subscribers within its serving region along with an active profile number field indicating a list of features currently available to each subscriber. A subscriber can prompt a change of profile containing a different set of features for different users of the mobile station or for different times of day or geographic areas.

Regarding claims 1 and 18, Applicants submit that Sonti et al. does not disclose or suggest the limitations in the combination of these claims of, inter alia, a method or apparatus for automatically configuring communication services for a

subscriber within a communication system that includes sensing an external parameter or automatically choosing a configuration in respect of the subscriber in dependence on or in response to predefined criteria and the sensed external parameter. The Examiner asserts that Sonti et al. discloses sensing an external parameter at col. 8, lines 25-29 of Sonti et al. However, this portion of Sonti et al. merely discloses that a subscriber whose mobile station has already been registered may select a new profile by simply dialing a profile number followed by a personal identification number and a new profile number. This is not sensing an external parameter as recited in the claims of the present application. In Sonti et al. the subscriber must manually dial in information to change a profile. In contrast, in the present invention, external parameters may be sensed such as time, date, equipment identity, location, etc., and a configuration chosen automatically based on the sensed external parameters. (See Applicants specification, page 12, lines 2-11). This manual selection as disclosed in Sonti et al. teaches away from the claimed invention (see Applicants' specification, page 6, lines 19-22).

Moreover, the Examiner asserts that Sonti et al. discloses automatically choosing a configuration dependent on a predefined criteria and a sensed external parameter at col. 1, lines 57-60. However, this passage in Sonti et al. merely discloses that a particular subscriber might be the sole user of a mobile station but may desire different features to be active in different geographical areas or during different times of day. This does not disclose sensing an external parameter or automatically choosing a configuration based on the sensed external parameter as recited in the claims of the present application.

Regarding claims 2, 3, 6, 9, 10, 12, 13, 14, 20 and 21, Applicants submit that these claims are dependent on one of independent claims 1 and 18 and, therefore, are patentable at least for the same reasons noted regarding these independent claims.

Accordingly, Applicants submit that Sonti et al. does not disclose or suggest the limitations in the combination of each of claims 1, 2, 3, 6, 9, 10, 12, 13, 14, 18, 20 and 21 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

35 USC §103 Rejections

Claims 4, 5, 7, 8, 11, 15, 16, 17, 19 and 23 have been rejected under 35 USC §103(a) as being unpatentable over Sonti et al. in view of Buhrmann et al. Applicants respectfully traverse these rejections.

Buhrmann et al. discloses a method and apparatus for providing telecommunication services based on a subscriber profile updated by a personal information manager. A subscriber enters personal information data into a personal information manager that either automatically or based on additional profile request entered by the subscriber, generates profile update data associated with the personal information data. The personal information manager transmits the profile update data to a database in the telecommunication system where it is stored. A subscriber profile data stored therein is then updated in accordance with the subscriber profile update data.

Applicants submit that claims 4, 5, 7, 8, 11, 15, 16, 17, 19, and 23 are dependent on one of independent claims 1 and 18 and, therefore, are patentable at least for the same reasons noted previously regarding these independent claims.

Applicants submit that Buhrmann et al. does not overcome the significant deficiencies noted previously regarding Sonti et al., and therefore, neither Sonti et al. nor Buhrmann et al., taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of these claims of the present application. Accordingly, Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

New claims 24-30

Applicants have submitted new claims 24-30 for consideration by the Examiner. Applicants submit that these new claims do not contain prohibited new matter and are patentable over the cited references for the same reasons noted previously regarding the current independent claims. Applicants respectfully request that these new claims be entered and allowed.

In view of the foregoing amendments and remarks, Applicants respectfully submit that claims 1-30 are now in condition for allowance. Accordingly, early allowance of such claims is respectfully requested.

Any amendments to the claims which have been made in this Amendment and which have not been specifically noted to overcome a rejection based upon the prior art should be considered to have been made for a purpose unrelated to patentability and no estoppel should be deemed to attach thereto.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned **“Version with markings to show changes made.”**

To the extent necessary, Applicant petitions for an extension of time under 37 CFR §1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees and excess claim fees, to Deposit Account No. 01-2135 (referencing case No. 367.37732X00) and please credit any excess fees to such deposit account.

Respectfully submitted,



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Version with markings to show changes made

Please amend the claims as follows:

1. (Amended) A method of automatically configuring communication services for a subscriber within a communication system, comprising [the steps of]:

- sensing an external parameter;
- choosing for the particular subscriber, a configuration of communication services from a plurality of configurations; and
- using the chosen configuration in respect of the subscriber, wherein said choosing is performed automatically in dependence on a pre-defined criterion and the sensed external parameter.

18. (Amended) An apparatus, for use in a communication system, comprising:

- a register of subscribers to the communication system;
- a register of alternate configurations;
- sensing means for sensing an external parameter;
- means for automatically choosing one of the alternative configurations in response to said sensing means and a pre-defined criterion; and
- means for using the chosen configuration in respect of a particular subscriber.